



Roll Call Number

Agenda Item Number

13-1720

20

Date November 4, 2013

RESOLUTION SETTING HEARING ON A REQUEST FROM DRAKE UNIVERSITY FOR APPROVAL OF AN AMENDMENT TO THE DRAKE UNIVERSITY RECREATION PUD CONCEPTUAL PLAN AFFECTING PROPERTY LOCATED AT 1420 26TH STREET, TO ALLOW AN APPROXIMATELY 31,000 SQUARE FOOT BASKETBALL PRACTICE FACILITY ADDITION TO THE EAST SIDE OF THE KNAPP CENTER

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 17, 2013, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Drake University (owner), represented by Deborah Newsome (officer), for approval of an amendment to the Drake University Recreation PUD Conceptual Plan affecting property located at 1420 26th Street, to allow an approximately 31,000 square foot basketball practice facility addition to the east side of the Knapp Center, subject to the following revisions:

- 1. Compliance with all administrative comments arising from the final Mylar review.
2. A note indicating that any Development Plan will provide mitigation of any trees removed in accordance with Tree Preservation and Mitigation Ordinances with additional plantings necessary to meet minimum open space plantings as in C-2 Districts based on the total disturbed site area for the proposed addition.
3. A note indicating any signs will conform to standards and allowances as permitted in the "C-2" District with no allowance for off-premises advertising signs.

The subject property is more specifically described as follows:

Lots 15 thru 35, inclusive in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 6 through 21, inclusive, in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lot 21 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 31, 32, 33, 34, and 35 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 13, 14, 15, and 16 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 21, 22, 23, 24, and 25 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 26th Street lying East of and adjacent to Lots 17, 18, 19, and 20 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,



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Platted Right-of-Way for 26<sup>th</sup> Street lying East of and adjacent to Lots 26, 27, 28, 29, and 30 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25<sup>th</sup> Street lying East of and adjacent to Lots 9, 10, 11, and 12 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25<sup>th</sup> Street lying East of and adjacent to Lots 16, 17, 18, 19, and 20 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Public Right-of-Way for Clark Street lying North of and adjacent to the following described Line; beginning at the NW corner of Lot 35 in Smith's Fourth Addition to University Place, thence East along the North line of Lots 35, 26, 25 16, and 15 in said Smith's Fourth Addition to University Place, a distance of 775.5 feet more or less to a point that is 57.5 feet East of the NW corner of said Lot 15 and to the end of said Line, Des Moines, Polk County, Iowa; AND,

Lots 13 thru 27, inclusive, Lots 34 thru 57, inclusive, Lots 61 thru 69, inclusive, Lots 71, 72, 73 and the South 10.0 feet of Lot 12, all in Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lot 30, Except the South 25.0 feet of the East 70.9 feet, thereof, in Curtis' Bluff Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

The West 57.5 feet of Lot 29 in Curtis' Bluff Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and Adjacent to the East line of Lots 13, 14, 15 and the South 10.0 feet of Lot 12 in Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 26<sup>th</sup> Street lying East of and adjacent to the East line of Lots 16 thru 27, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and Adjacent to the East line of Lots 34 thru 45, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25<sup>th</sup> Street lying East of and adjacent to the East line of Lots 46 thru 60, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 1 thru 10, inclusive in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 45 thru 55 inclusive in University Place, Des Moines, Polk County, Iowa; AND,

The North 39.00 feet of Lot 44 and the North 10.00 feet of Lot 56, all in University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 6 thru 10, inclusive, in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,



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Platted alley lying East of and adjacent to the East line of Lots 50 thru 55, inclusive, in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of the North 10.00 feet of Lot 56 in University Place, Des Moines, Polk County, Iowa; AND,

Public Right-of-Way of 25th Street and Forest Avenue described as: Beginning at the Southwest Corner of Lot 12 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; thence East to the Southwest Corner of Lot 5 in said Smith's Second Addition to University Place, thence South to the Norwest Corner of Lot 10 in Smith's Addition to in University Place, Des Moines, Polk County, Iowa; thence South to the Southwest Corner of said Lot 10; thence Westerly to the Southeast Corner of Lot 77 in University Place, Des Moines, Polk County, Iowa; thence North to the Northeast Corner of said Lot 77; thence Northerly to the Southeast Corner of said Lot 12 and to the Point of Beginning.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. That the meeting of the City Council at which the proposed amendment to the Drake University Recreation PUD Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on November 18, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Coleman to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown, Assistant City Attorney

(ZON2013-00162)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MOORE, and TOTAL (6 yeas).

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin Course Mayor

Diane Rauh City Clerk